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May 1, 2019

Via ECF Filing

Hon. Lorna G. Schofield
Thurgood Marshall, United States Courthouse
40 Foley Square
New York, NY 1007

**Re: USA v. Cohen Crim. No. 397 Urgent Intervention Requested; Compassionate Care
for Mr. Gregory Cohen**

Dear Honorable Schofield:

As you may be aware, Defendant Gregory Cohen was given a very short sentence by Your Honor; his sentence of six months reflected among other things, the support he had from the community and his family for his long list of good deeds and altruism. Since the outbreak of the COVID-19 Pandemic, the Government's compassionate care guidelines and its application to low risk, short term prisoners, have been all over the map. In the span of one month, the various authorities have changed the prevailing guidelines at least three (3) if not more times. There is no reason to believe the compassionate care guidelines are now finalized.

In the interim, our client Gregory Cohen entered solitary confinement, but not as a punishment. He went in with hope. Mr. Cohen was given the full and fair understanding that if he remained healthy and "COVID free" for two (2) weeks, he would be released today. As of yesterday, the Assistant to the Warden told me the BOP had said –suddenly- Greg's case is now in "review". He has gone two weeks without human interaction, he is wearing the same clothes for 14 straight days, and he receives his food through a slot in a steel door. This treatment is not what he signed up for and it is cruel and unusual. He has been told it is his choice to wait in solitary confinement or return to the general prison population.

This is unfair and cruel, on many levels.

If Mr. Cohen returns to the general population, then he is subject to having to be quarantined another 14 days. If he stays in solitary confinement, it is a punishment rather than a necessity, and he is feeling tremendous psychological and physical stress. Further, Mr. Cohen has had previous medical issues (liver and psychiatric) that can be affected by the current situation with the COVID-19 Virus. Needless to say, the longer he is in prison the more likely he is going to get ill for no good reason.

We are asking Your Honor for your urgent, direct support to have him released on furlough. A prisoner who is scared of the COVID-19 Virus, who has been a model prisoner, and who is told



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“follow this plan and you are to be released” , should not be subjected to harsher torment than his sentence required.

Thank you for your consideration and humanity. Please inform the Warden at Otisville that you support Mr. Cohen’s release for health reasons.

Respectfully submitted,

s/ *Peter Levy*
Peter Levy, Esq.

cc:
Ryan Finkel, AUSA (via email)
Lisa Chan, P.O. (via email)